
EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: DAIRY FARMERS OF)
AMERICA, INC. CHEESE) Docket No. 09 C 3690
ANTITRUST LITIGATION)
Chicago, Illinois
October 3, 2013
10:00 a.m.
)
)
)

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE ROBERT M. DOW, JR.

PRESENT:

For direct purchaser THEODORE B. BELL
Plaintiffs: Wolf Haldenstein Adler Freeman
 & Herz LLC
 55 West Monroe Street
 Suite 1111
 Chicago, Illinois 60603

 MARY JANE FAIT
 115 South LaSalle Street
 Suite 2910
 Chicago, Illinois 60603

 CHRISTOPHER M. Mc GRATH
 Lovell Stewart Halabian Jacobson, LLP
 61 Broadway
 Suite 501
 New York, New York 10066

 MARVIN A. MILLER
 Miller Law LLC
 115 South LaSalle Street
 Suite 2910
 Chicago, Illinois 60603

For Frank Otis: JESSICA ANN BAER
 K&L Gates
 70 West Madison
 Suite 3100
 Chicago, Illinois 60602

1 PRESENT: (Cont'd)

2 For Dairy Farmers: JOEL G. CHEFITZ
3 DAVID L. HANSELMAN, JR.
4 AMANDA J. METTS
5 McDermott Will & Emery LLP
6 227 West Monroe Street
7 Chicago, Illinois 60606

8 For Schreiber Foods: NATHAN P. EIMER
9 DANIEL D. BIRK
10 Eimer Stahl LLP
11 224 South Michigan Avenue
12 Suite 1100
13 Chicago, Illinois 60604

14 For Indirect purchaser ILAN CHOROWSKY
15 Plaintiffs: ALEX STEPICK, IV
16 Progressive Law Group LLC
17 1 North LaSalle
18 Suite 2255
19 Chicago, Illinois 60602

20 MAX WILD
21 WILD LAW GROUP, PLLC
22 98 Distillery Road
23 Warwick, New York 10990

24 For Gerald Bos: JACOB L. KAHN
25 Schiff Hardin LLP
26 233 South Wacker Drive
27 Suite 6600
28 Chicago, Illinois 60606

29 For Gary Hanman: ELLEN M. WHEELER
30 Foley & Lardner
31 321 North Clark Street
32 Suite 2800
33 Chicago, IL 60610

34 Court Reporter: Lois A. LaCorte
35 219 South Dearborn Room 1918
36 Chicago, Illinois 60604
37 (312) 435-5558

1 and what position we want to take.

2 THE COURT: And is the question whether you ought also to
3 still be counsel in addition to Ms. Fait or instead of Ms.
4 Fait?

5 MR. BELL: That's on the table, your Honor, but I don't
6 want to take a position prematurely on that.

7 THE COURT: That's okay. I'll let you work that out
8 with your principal. I mean, Ms. Fait, I guess my
9 understanding, and, of course, Judge Hibbler is the one who
10 put all you guys in place, but my understanding is that the
11 person who has, at least in my courtroom the person who has
12 spoken most of the time on behalf of this group of plaintiffs
13 is Ms. Fait.

14 So I get that, and I see other judges seem to be taking
15 that position in their cases, but it's not necessarily to the
16 exclusion of your firm. I don't want you to lay on the record
17 out here your billing sheets to find out who has done what and
18 who can contribute what. I guess my job is to make sure that
19 the plaintiffs are adequately represented, but not
20 overrepresented, I suppose, because there could be
21 inefficiencies there and I guess that was the position your
22 co-counsel from the other firm is taking.

23 MS. FAIT: I think that's everybody's primary
24 consideration, is to represent the class fairly and as
25 efficiently as possible.

1 THE COURT: Yes, and so I suppose what I ought to do is
2 let you guys formulate your position. Your position may come
3 around to Ms. Fait's position, as far as I can tell.

4 You have never been withdrawn from the case, though, have
5 you?

6 MS. FAIT: No, your Honor.

7 THE COURT: So as far as I'm concerned, you're still in
8 the case, and I hope I've got your right address here.

9 MS. FAIT: That's correct, 115 South -- North LaSalle.

10 THE COURT: We know where to find you then.

11 MS. FAIT: South LaSalle.

12 THE COURT: Okay, I know where that is. I used to be at
13 190.

14 So I'll give you two weeks to come up with your position,
15 and if your position turns out to dovetail in the end with Ms.
16 Fait's, you can let me know that too. If it doesn't, then,
17 Ms. Fait, if you want to respond to them or reply to them, I
18 guess, I'm okay with that. I've got to work that out between
19 you guys I think.

20 MS. FAIT: Okay. The only thing I would add is that
21 when I left Wolf Haldenstein, I did bring the client with me,
22 the plaintiff.

23 THE COURT: And I saw that, and the question really is,
24 I suppose, are there lawyers at that firm who have a stake in
25 this in some fashion that can represent the clients

1 effectively. That's what you guys need to figure out. And I
2 don't want to do that on the record here. You guys can -- if
3 I ultimately have to do that on the record, we can, but for
4 now I want at least people to formulate their positions and
5 give me some more time to digest what's in front of me.

6 So I just learned that two weeks from today is the 17th.
7 In my mind it was the 16th because all these days are blending
8 together after this trial. So the 17th you can let me know
9 your position, and then, Ms. Fait, do you want some time to
10 reply if you need to?

11 MS. FAIT: Just a week.

12 THE COURT: Okay, perfect.

13 MS. FAIT: Thank you.

14 THE COURT: Okay, let's put that issue off to the side
15 for the moment. You're still in the case, everything -- as
16 far as I'm concerned, you are what you were before all this
17 came up, and the question is how to sort all you guys out.

18 MS. FAIT: Thank you, your Honor.

19 MR. MC GRATH: Your Honor, may I add one thing?

20 THE COURT: Yes, sure.

21 MR. MC GRATH: Chris McGrath from Lovell Stewart. We
22 were appointed co-lead with Wolf Haldenstein.

23 We don't take a position as between Wolf Haldenstein or
24 Ms. Fait, but we would oppose the appointment of a third lead
25 counsel on the case.

EXHIBIT B

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 5.1.1
Eastern Division**

Text Messaging Antitrust Litigation, et al.

Plaintiff,

v.

Case No.: 1:08-cv-07082

Honorable Matthew F. Kennelly

Verizon Wireless, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, August 27, 2013:

MINUTE entry before the Honorable Matthew F. Kennelly: Status hearing held on 8/27/201. Motion for Modification [720] is granted in part, appointing Fred Taylor Isquith of Wolf Haldenstein as a representative of the firm on the Plaintiff's Steering Committee. Mary Jane Fait is directed to file a written response to motion by 9/10/2013. Motion for protective order [723] is granted. The deposition of Dr. Baker is limited to seven hours. Status report is due by 10/15/2013. Status hearing is set for 10/17/2013 at 09:30 a.m. Mailed notice.(png,)

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EXHIBIT C

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 5.1.1
Eastern Division**

Jim Morris, et al.

Plaintiff,

v.

Case No.: 1:08-cv-07082

Honorable Matthew F. Kennelly

Verizon Wireless, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, September 11, 2013:

MINUTE entry before Honorable Matthew F. Kennelly: The Court, having reviewed the response by attorney Mary Jane Fait to the motion for clarification, reaffirms her participation on the plaintiffs' steering committee. (mk)

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